

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JOSEPH T. JORDAN,**

**Defendant.**

**8:08CR439**

## ORDER

The defendant's Motion to Review Detention (#138) is denied.

The defendant's proposed release fails to address the court's concerns as set out in the Order of Detention ([#14](#)) filed December 19, 2008. Nor does the plan present sufficient evidence to overcome the presumption of detention set out in 18 U.S.C. 3142(e).

The defendant, given his age, has a significant criminal record and a past history of drug abuse. The substantial prior record of the defendant and his past behavior demonstrate by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other persons or the community, or reasonably assure his appearance.

**IT IS ORDERED** that defendant's Motion to Review Detention (#138) is denied without hearing.

**DATED May 13, 2009.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**